



January 11, 2006

HOUSE BILL No. 1103

DIGEST OF HB 1103 (Updated January 9, 2006 2:49 pm - DI 96)

Citations Affected: IC 9-13.

Synopsis: Boat dealers. Defines a dealer for purposes of watercraft sales as a person who sells at least six: (1) boats; or (2) trailers designed and used exclusively for the transportation of watercraft and sold in general association with the sale of watercraft; a year. (Current law defines a dealer for purposes of watercraft sales as a person who sells at least six boats a year.) Provides that a trailer or semitrailer used in the transportation of watercraft may be considered to be an abandoned vehicle under certain circumstances.

Effective: Upon passage; July 1, 2006.

Yount

January 5, 2006, read first time and referred to Committee on Roads and Transportation.
January 10, 2006, amended, reported — Do Pass.

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HB 1103—LS 6875/DI 96+



January 11, 2006

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

HOUSE BILL No. 1103

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-13-2-42, AS AMENDED BY P.L.219-2005,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 42. (a) "Dealer" means, except as otherwise
4 provided in this section, a person who sells to the general public,
5 including a person who sells directly by the Internet or other computer
6 network, at least twelve (12) vehicles each year for delivery in Indiana.
7 A dealer must have an established place of business that meets the
8 minimum standards prescribed by the bureau under rules adopted
9 under IC 4-22-2.
10 (b) The term does not include the following:
11 (1) A receiver, trustee, or other person appointed by or acting
12 under the judgment or order of a court.
13 (2) A public officer while performing official duties.
14 (3) A person who is a dealer solely because of activities as a
15 transfer dealer.
16 (4) A person who sells off-road vehicles.
17 (c) "Dealer", for purposes of IC 9-31, means a person that sells to

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the general public for delivery in Indiana at least six (6):

(1) boats; or

(2) trailers:

(A) designed and used exclusively for the transportation of watercraft; and

(B) sold in general association with the sale of watercraft; per year.

SECTION 2. IC 9-13-2-196, AS AMENDED BY P.L.210-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 196. (a) "Vehicle" means, except as otherwise provided in this section, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway.

(b) "Vehicle", for purposes of IC 9-14 through IC 9-18, does not include the following:

(1) A device moved by human power.

(2) A vehicle that runs only on rails or tracks.

(3) A vehicle propelled by electric power obtained from overhead trolley wires but not operated upon rails or tracks.

(4) A firetruck and apparatus owned by a person or municipal division of the state and used for fire protection.

(5) A municipally owned ambulance.

(6) A police patrol wagon.

(7) A vehicle not designed for or employed in general highway transportation of persons or property and occasionally operated or moved over the highway, including the following:

(A) Road construction or maintenance machinery.

(B) A movable device designed, used, or maintained to alert motorists of hazardous conditions on highways.

(C) Construction dust control machinery.

(D) Well boring apparatus.

(E) Ditch digging apparatus.

(F) An implement of agriculture designed to be operated primarily in a farm field or on farm premises.

(G) An invalid chair.

(H) A yard tractor.

(8) An electric personal assistive mobility device.

(c) For purposes of IC 9-20 and IC 9-21, the term does not include devices moved by human power or used exclusively upon stationary rails or tracks.

(d) For purposes of IC 9-22, the term refers to an automobile, a motorcycle, a truck, a trailer, a semitrailer, a tractor, a bus, a school bus, a recreational vehicle, **a trailer or semitrailer used in the**

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- 1 **transportation of watercraft, or a motorized bicycle.**
2 (e) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9,
3 the term means a device for transportation by land or air. The term does
4 not include an electric personal assistive mobility device.
5 **SECTION 3. An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1103, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete line 17.

Page 2, line 4, delete "trailers" and insert "**trailers:
(A)**".

Page 2, line 5, after "watercraft;" insert "**and
(B) sold in general association with the sale of watercraft;**".

Page 2, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 2. IC 9-13-2-196, AS AMENDED BY P.L.210-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 196. (a) "Vehicle" means, except as otherwise provided in this section, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway.

(b) "Vehicle", for purposes of IC 9-14 through IC 9-18, does not include the following:

- (1) A device moved by human power.
- (2) A vehicle that runs only on rails or tracks.
- (3) A vehicle propelled by electric power obtained from overhead trolley wires but not operated upon rails or tracks.
- (4) A firetruck and apparatus owned by a person or municipal division of the state and used for fire protection.
- (5) A municipally owned ambulance.
- (6) A police patrol wagon.
- (7) A vehicle not designed for or employed in general highway transportation of persons or property and occasionally operated or moved over the highway, including the following:
 - (A) Road construction or maintenance machinery.
 - (B) A movable device designed, used, or maintained to alert motorists of hazardous conditions on highways.
 - (C) Construction dust control machinery.
 - (D) Well boring apparatus.
 - (E) Ditch digging apparatus.
 - (F) An implement of agriculture designed to be operated primarily in a farm field or on farm premises.
 - (G) An invalid chair.
 - (H) A yard tractor.
- (8) An electric personal assistive mobility device.

(c) For purposes of IC 9-20 and IC 9-21, the term does not include devices moved by human power or used exclusively upon stationary

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rails or tracks.

(d) For purposes of IC 9-22, the term refers to an automobile, a motorcycle, a truck, a trailer, a semitrailer, a tractor, a bus, a school bus, a recreational vehicle, **a trailer or semitrailer used in the transportation of watercraft**, or a motorized bicycle.

(e) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9, the term means a device for transportation by land or air. The term does not include an electric personal assistive mobility device."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1103 as introduced.)

DUNCAN, Chair

Committee Vote: yeas 10, nays 0.

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